



Understanding HIB: What Board members and parents need to know about Harassment, Intimidation & Bullying

An overview of the Anti-Bullying Law,
the HIB process, and the difference between bullying and conflict

(1/3/23)





What is the HIB Law?

HIB Definition Under the Anti-Bullying Rights Act (ABR):

HIB means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or series of incidents, that:

- Is reasonably perceived as being motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, AND
- Takes place on school property, at any school-sponsored function, or off school grounds as provided for in section 16 of P.L. 2010, c 122, AND
- Substantially disrupts or interferes with the orderly operation of the school or the rights of other student(s), AND THAT:

HIB Definition (continued)

- A reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property; OR
- Has the effect of insulting or demeaning any student or group of students; OR
- Creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

*There can be multiple aggressors and multiple victims

*Can occur during one single incident or over the course of several incidents

Cyber-Bullying

- Any electronic communication that violates the HIB guidelines
 - Photos, Texting, Phone Calls, Videos, Social Media
- Included in HIB law(s) -- Schools will investigate if it meets all criteria previously discussed
- Parents are encouraged to contact the police directly if this occurs outside of school as they can respond if the behavior involves a criminal offense, such as the following examples:
 - Threats of violence
 - “Sexting”
 - Taking a photo or video of someone in a place where he/she would expect privacy
 - Harassment, stalking, or hate crimes

Reporting Methods

- Verbal report to Anti-Bullying Specialist (ABS), principal, or staff member
 - Can be submitted by student, parent, staff member
- Written Report submitted directly to principal
 - [Online reporting form](#) (Created by NJDOE)
 - Email
 - Other written format
- Anonymous reporting
 - Submission of online form
 - *Drop Box* located in Nurse's office

HIB Investigation Process

1. Administrator receives verbal/written report & ensures student safety
2. Within 24 hours- Principal informs all parents of report and investigation process
3. Within 1 school day- Anti-Bullying Specialist initiates investigation
4. Within 2 school days - Administrator receives written report from reporting staff member (if applicable)
5. Within 10 days of receipt of written report- Anti-Bullying Specialist (ABS) completes investigation and provides written report to Anti-Bullying Coordinator (ABC)
 - a. Report may be amended by ABS after the 10 day limit if additional relevant information is shared.
6. Administrator will proceed with appropriate action/discipline based upon findings (Confirmed HIB, Conflict, Other) -- Consequences and remediation will align with policy and findings as appropriate
7. ABC provides Superintendent with report, Superintendent may affirm/adjust within 2 school days
8. Superintendent reports results of investigation to BOE (All student information is confidential)
9. Within 5 days of meeting- Written notice provided to parents of investigation results
10. Parent may request a hearing in front of the BOE if they disagree with findings -- must take place within 10 days of the request & would occur in Executive Session.
11. BOE issues a decision to affirm or amend the prior decision at next meeting. Parents can appeal to Commissioner of Education

Confidentiality & Reporting

Privacy rights of students is paramount at all times. To that end, please be aware of the following aspects:

1. School administrators cannot share any information about another student with parents -- this includes specific consequences that may/may not be imposed
2. Every reasonable attempt is made during an investigation not to share information between students
3. Students are not identified by name in the Superintendent's report to the the BOE or on state reports
4. Substantiated HIB investigation results will be placed in the student's cumulative file as required by law

What is the Difference Between Harassment */Bullying* & *Conflict*?

Conflict	Harassment / Bullying
<ul style="list-style-type: none"> ➤ Mutual disagreement or difference in interests or opinion in which both sides express their views; naturally occurs ➤ Is reciprocal; all parties involved equally in conflict ➤ Involves people with similar degrees of power ➤ Equal responsibility ➤ Can be resolved by compromise ➤ All parties want to resolve the problem ➤ All parties show remorse; each takes responsibility for their actions ➤ Consequences will align with Code of Conduct if applicable 	<ul style="list-style-type: none"> ➤ One-sided issue or disagreement ➤ Imbalance of power ➤ Alleged victim targeted for an actual or perceived <u>characteristic</u> ➤ Done with intention to harm emotionally or physically ➤ Creates a substantial disruption in the orderly operation of the school ➤ Potential consequences and remediation will align with Board <u>Policy 5512</u>

Consequences, Remediation, Support

- Incidents of confirmed HIB or Conflict will involve a variety of developmentally appropriate consequences and remedial actions as outlined in [Board Policy 5512](#) and adopted Codes of Conduct.
 - Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses; consider the developmental ages of the student offenders; the nature of the student's disability, if any and to the extent relevant; and the students' histories of inappropriate behaviors, per the Code of Student Conduct and N.J.A.C. 6A:16-7
 - These may include, but not be limited to:
 - * Counseling
 - * Behavioral Contracts
 - * Detention
 - * Suspension (in/out of school)
 - * Loss of Privileges
 - * Reports to Law Enforcement
 - * Expulsion
- The Principal, in consultation with appropriate school staff, shall develop an individual student intervention plan when a student is found to be an offender in **three** harassment, intimidation, or bullying incidents and each subsequent incident occurring within one school year. Plans must be approved by the Superintendent
- Strategies and resources are available to support victims of harassment, intimidation, and bullying. These are delivered in a manner that provides relief to victims and does not stigmatize victims or further their sense of persecution. The type, diversity, location, and degree of support are directly related to the student's needs related to the incident.

Social Emotional Learning and Mental Health Support for Students, Staff, and Families

- Kdg - 8th grade -- Social Decision Making/Social Problem Solving - A Curriculum for Academic, Social, and Emotional Learning
- Grade level and school based SEL activities including
 - Start with Hello Day, Morning Announcements
 - 7th & 8th grade Peer Leaders program
 - Monthly Character Education lessons for all grade levels
- Counseling -- Individual, Small Group, In-Person, Remote
- Monthly Counselors' Newsletters and online resources
- Staff Training
 - Affirmative Action, Suicide Prevention, HIB Process
 - Equity and Bias Awareness
- Curricular programming which incorporates mandated standards
- PTO Parent Education Nights
- Community Resources

Contact Information

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**Further Resources and online reporting form
can be found at:**

- [Mountainside HIB Information](#)
- [NJ DOE HIB Information](#)